



STATE OF WASHINGTON

OFFICE OF FINANCIAL MANAGEMENT

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September 23, 2003

TO: Chief Ronal W. Serpas
FROM: Marty Brown, Director
SUBJECT: Washington State Patrol Incident Report #03-40 Does Not Merit Review

Pursuant to RCW 43.41.370 and the Guidelines for Reporting Incidents to the Office of Financial Management (OFM), the Washington State Patrol (WSP) reported to OFM that on March 21, 2003 a Thurston County motorist died while speeding away from a trooper attempting to make a traffic stop on Old Highway 99.

Shortly after midnight on a rainy night, a trooper pursued and attempted to stop a vehicle traveling up to 75 miles per hour in a 40 mile per hour zone. The driver lost control, the vehicle rolled over several times, and the driver was ejected and killed instantly. The investigation that followed determined that the driver had been under the influence of alcohol, that he had three prior convictions for driving under the influence and that his license had been suspended. The WSP internal investigation found that the trooper complied with the agency's pursuit policies and procedures. The WSP is now reviewing its vehicle pursuit policies and procedures to determine if changes are warranted. Additionally, Substitute Senate Bill 5165, which was enacted this past legislative session requires the development of a written model policy on vehicle pursuits by a group which includes the WSP. It is due December 1, 2003. The bill also requires further employee training in vehicle pursuits.

RCW 43.41.370(1) requires the Director of OFM to appoint a loss prevention review team when the death of a person, serious injury to a person, or other substantial loss is alleged or suspected to be caused at least in part by the actions of a state agency unless the Director, in his discretion, determines that the incident "does not merit review". Applying the criteria for loss prevention reviews, issued November 18, 2002, I have determined that the incident does not merit review. There was a death in the incident and there is a risk of future similar occurrences. However, the WSP completed an internal investigation of the incident and is conducting a broader review of its pursuit policy. Also, the recent legislation will result in a model pursuit policy and associated training. Therefore, no further review is warranted at this time.

This decision will be posted on the OFM website. If you have any questions about the criteria or its application to this incident, please contact either Susan Hettinger at (360) 902-7396 or Gary Robinson at (360) 902-0528.

cc: Juliet Wehr Jones, General Counsel, WSP